



Department of Energy
Washington, DC 20585

WEATHERIZATION PROGRAM NOTICE 12-07
SUPERCEDES WPN 08-5
EFFECTIVE DATE: March 5, 2012

SUBJECT: REVISED GUIDANCE ON WEATHERIZATION DISASTER PLANNING AND RELIEF

PURPOSE: To provide revised guidance on allowable activities using Department of Energy (DOE) Weatherization Assistance Program (WAP) resources in the event of disasters.

SCOPE: The provisions of this guidance relate to Grantees applying for financial assistance under the Department of Energy (DOE) WAP.

LEGAL AUTHORITY: Title IV, Energy Conservation and Production Act, as amended, authorizes the Department of Energy to administer the Weatherization Assistance Program. (42 U.S.C. § 6861, *et. seq.*) All grant awards made under this program shall comply with applicable law and regulations including the WAP regulations contained in 10 CFR 440.

BACKGROUND: DOE previously released WPN 08-5 which expanded the original guidance issued as WPN 93-12 by including additional opportunities to use WAP resources when a disaster occurs. A review of WPN 08-5 and subsequent oversight of weatherization activities conducted during the Recovery Act period has led DOE to reconsider the additional flexibilities offered in WPN 08-5. This program notice supersedes WPN 08-05.

PROCEDURES: Generally, most Grantees have within their respective governmental structure an active Disaster Relief Office whose primary purpose is to address disaster emergencies through a general Disaster Response Plan. When disasters strike, these offices enact their response plans which include an aggressive effort to identify and

secure any resources that may be available to assist in the relief. Grantees are reminded that WAP has a very limited role in any disaster response plan. The use of DOE WAP funds is limited to eligible weatherization activities and the purchase and delivery of weatherization materials.

Use of DOE WAP Funds to address disaster related hazards

Allowable expenditures under WAP include: 1) the cost of incidental repairs to an eligible dwelling unit if such repairs are necessary to make the installation of weatherization materials effective and, 2) the cost of eliminating health and safety hazards, elimination of which is necessary before the installation of weatherization materials (10 CFR 440.18(d)(9); 10 CFR 440.18(d)(15)). To the extent that the services are in support of eligible weatherization (or permissible re-weatherization¹) work, such expenditure would be allowable. For example, debris removal at a dwelling unit so that the unit can be weatherized would be an allowable cost. Debris removal from a dwelling unit that is not to be weatherized would not be an allowable cost. Please note that the \$6,500 per dwelling unit limit continues to apply.

In addition, the regulations require that a Grantee's Weatherization Plan identify and describe the average amount of DOE funds to be used for incidental repairs (10 CFR 440.14(c)(6)(viii)). The grantee must also develop, publish, and implement procedures to ensure that Subgrantees limit expenditure of funds for installation of materials (other than weatherization materials) to abate energy-related health and safety hazards to a list of types of such hazards, permissible abatement measures and their costs necessary (10 CFR 440.16(h)). As such, Grantees should ensure that the limits on the use of WAP funds to address disaster related hazards are included in the approved Grantee Plan.

Weatherization personnel can be paid from DOE funds to perform functions related to protecting the DOE investment. Such activities include: securing weatherization materials, tools, equipment, weatherization vehicles, or protection of local agency weatherization files, records and the like during the initial phase of the disaster response. Using DOE funds to pay for weatherization personnel to perform relief work in the community as a result of a disaster is not allowable.

Local agencies may use weatherization vehicles and/or equipment to help assist in disaster relief provided the WAP is reimbursed according to the DOE Financial Assistance Regulations 10 CFR Part 600.

¹ In the event of a declared Federal or State disaster, weatherization crews may return to a unit reported as a completion to DOE that has been "damaged by fire, flood or act of God to be re-weatherized, without regard to date of weatherization". 10 CFR 440.18(f)(2)(ii). Local authorities must deem the dwelling unit(s) salvageable as well as habitable and if the damage to the materials is not covered by insurance or other form of compensation.

Reprioritization of weatherization requests coming from the disaster area

WAP rules require that priority be given to identifying and providing weatherization assistance to elderly persons, persons with disabilities, families with children, high residential energy users, and households with high energy burdens (10 CFR 440.16(b)). However, it would be permissible to consider in households located in the disaster area, as a priority as long as the households are eligible and meet one of the priorities established in regulation and are free and clear of any insurance claim or other form of compensation resulting from damage incurred from the disaster.

CONCLUSION: Any previously approved Disaster Response Plans that were developed using WPN 08-5 guidance, as part of the annual Grantee plan or a subsequent amendment, will need to be reviewed and revised as necessary to reflect the changes in this guidance.



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